APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,385	01/08/2001	Jonathan M. Goldberg	3386.P010	9781

			EXAMINER

8791   7590   11/29/2004

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

WOO, ISAAC M

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/754,385	GOLDBERG ET AL.
	Examiner	Art Unit
	Isaac M Woo	2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>08 January 2001</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-17 and 19-30* is/are rejected.

7) ☒ Claim(s) *18* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/20/01, 3/12/01*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is response to the application filed, on January 08, 2001.

2.   Claims 1-30 are presented for examination.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-17 and 19- 30 are rejected under 35 U.S.C. 102(e) as being anticipated

by Conklin (U.S. Patent No. 6,415,283).

        With respect to claims 1, 19 and 26, Conklin discloses, selecting a set of

knowledge profiles (200, example attribute set contains nine attributes, each attribute

value is knowledge profile, preparing data set) associated with a root concept (focal

point, e.g., Node A, fig. 2, 165, Cluster Identification, col. 2, lines 50-67 to col. 3, lines 1-

65, knowledge profiles (attribute set, 200, fig. 2) associated with focal point node);

determining a knowledge neighbor (Node B-Node F, fig. 2) for the root concept (focal

point, e.g., Node A, fig. 2, 165, Cluster Identification, col. 2, lines 50-67 to col. 3, lines 1-

65), the knowledge neighbor being a concept common to the selected knowledge

profiles (each childe node contains different attribute weights (value) that forms

hierarchical knowledge node tree, fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67); and

deriving an affinity (relationship, col. 3, lines 28-50 between each node) for the

knowledge neighbor (child nodes, Node B-Node F, fig. 2) to represent a relationship

between the root concept (focal node, Node A, fig. 2) and the knowledge neighbor (child

nodes, Node B-Node F, fig. 2), see (fig. 1, fig. 2, fig. 6, col. 2, lines 50-67 to col. 3, lines

1-65, col. 9, lines 1-62, the tree structure represents each knowledge node relationship).

With respect to claims 2, 20 and 27, Conklin discloses, using the knowledge

neighbor as a new root concept to determine an additional knowledge neighbor, see

(fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claim 3, Conklin discloses, filtering all concepts common to the

selected knowledge profiles against a pre-determined confidence level threshold, see

(fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67, attribute values (weight) are used).

With respect to claim 4, Conklin discloses, filtering all knowledge profiles

associated with the root concept against a pre-determined confidence level threshold,

see (fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claims 5, 21 and 28, Conklin discloses, obtaining an identity for the root concept (focal node, node A, fig. 2), see (fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claim 6, Conklin discloses, receiving a user selection of the root concept, see (fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claim 7, Conklin discloses, root concept is selected from the group consisting of a knowledge term, a profile, a search criteria, and a document, see (data set, fig. 1, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claims 8 and 22, Conklin discloses, creating a knowledge map to graphically illustrate the root concept, the knowledge neighbor, and the affinity, see (fig. 6, col. 9, lines 1-67 to col. 10, lines 1-65).

With respect to claims 9 and 23, Conklin discloses, using the knowledge map to designate the knowledge neighbor as a new root concept to determine an additional knowledge neighbor, see (fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claims 10 and 24, Conklin discloses, overlaying the knowledge map on an earlier generated knowledge map, see (fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claims 11, 25 and 29, Conklin discloses, graphically illustrating more than one knowledge neighbor as a single knowledge neighbor, see (fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claim 12, Conklin discloses, graphically illustrating the knowledge neighbor if it satisfies an affinity threshold, see (fig. 2, col. 3, lines 29-67 to col. 4, lines 1-67).

With respect to claim 13, Conklin discloses, node representing the root concept; node representing the knowledge neighbor; and an edge representing the affinity, the edge graphically linking the node representing the root concept and the node representing the knowledge neighbor, see (fig. 6, col. 9, lines 1-67 to col. 10, lines 1-65).

With respect to claim 14, Conklin discloses, edge is illustrated with a length proportional to the affinity, see (fig. 6, col. 9, lines 1-67 to col. 10, lines 1-65).

With respect to claim 15, Conklin discloses, edge is illustrated with a length proportional to the affinity, see (fig. 6, col. 9, lines 1-67 to col. 10, lines 1-65).

With respect to claim 16, Conklin discloses, counting the knowledge profiles associated with the knowledge neighbor; and, calculating the affinity using the count of the knowledge profiles, see (fig. 6, col. 9, lines 1-67 to col. 10, lines 1-65).

With respect to claim 17, Conklin discloses, factoring in a confidence level for the knowledge neighbor in each of the counted knowledge profiles, see (fig. 6, col. 9, lines 1-67 to col. 10, lines 1-65).

With respect to claim 30, Conklin discloses, graphically overlay the knowledge neighborhood on an earlier generated knowledge neighborhood for the root concept, see (fig. 6, col. 9, lines 1-67 to col. 10, lines 1-65).

Allowable Subject Matter

5.   Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Guha (U.S. Patent No. 6,049,797) et al discloses the system for clustering

databases containing data with categorical attributes. The present invention assigns a

pair of points to be neighbors if their similarity exceeds a certain threshold. The

similarity value for pairs of points can be based on non-metric information. The present

invention determines a total number of links between each cluster and every other

cluster bases upon the neighbors of the clusters. A goodness measure between each

cluster and every other cluster based upon the total number of links between each

cluster and every other cluster and the total number of points within each cluster and

every other cluster is then calculated. The present invention merges the two clusters

with the best goodness measure. Thus, clustering is performed accurately and

efficiently by merging data based on the amount of links between the data to be
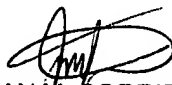
clustered.

Contact Information

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Isaac M Woo whose telephone number is (571) 272-

4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

IMW
November 18, 2004

JEAN M. CORRIELUS
PRIMARY EXAMINER